



CITY OF MORGAN HILL
17555 PEAK AVENUE MORGAN HILL, CALIFORNIA 95037

COUNCIL MEMBERS

Dennis Kennedy, Mayor
Greg Sellers, Mayor Pro Tempore
Larry Carr, Council Member
Hedy Chang, Council Member
Steve Tate, Council Member

WEDNESDAY, OCTOBER 27, 2004

AGENDA

CITY COUNCIL SPECIAL MEETING

7:00 P.M.

A Special Meeting of the City Council is called at 7:00 P.M. for the Purpose of Conducting City Business.

Dennis Kennedy, Mayor

CALL TO ORDER

(Mayor Kennedy)

ROLL CALL ATTENDANCE

(City Clerk Torrez)

DECLARATION OF POSTING OF AGENDA

Per Government Code 54954.2

(City Clerk Torrez)

OPPORTUNITY FOR PUBLIC COMMENT

PUBLIC COMMENT

NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS AGENDA.

(See notice attached to the end of this agenda.)

**PUBLIC COMMENTS ON ITEMS APPEARING ON THIS AGENDA WILL BE TAKEN AT THE TIME
THE ITEM IS ADDRESSED BY THE COUNCIL. PLEASE COMPLETE A SPEAKER CARD AND
PRESENT IT TO THE CITY CLERK.**

(See notice attached to the end of this agenda.)

**PLEASE SUBMIT WRITTEN CORRESPONDENCE TO THE CITY CLERK/AGENCY SECRETARY. THE
CITY CLERK WILL FORWARD CORRESPONDENCE TO THE CITY COUNCIL.**

City Council Action

CONSENT CALENDAR:

ITEM 1 The Consent Calendar may be acted upon with one motion, a second and the vote, by each respective Agency. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

Time Estimate

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Consent Calendar: 1 - 10 Minutes

1. **REVISION TO SUBDIVISION IMPROVEMENT AGREEMENT FOR CAPRIANO, PHASE VI (TRACT 9617)** 1
 Recommended Action(s): Authorize the City Manager to Sign the Revised Subdivision Improvement Agreement on Behalf of the City.

FUTURE COUNCIL-INITIATED AGENDA ITEMS:

Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

ADJOURNMENT



CITY COUNCIL STAFF REPORT

MEETING DATE: OCTOBER 27, 2004

REVISION TO SUBDIVISION IMPROVEMENT AGREEMENT FOR CAPRIANO PH. VI (TRACT 9617)

RECOMMENDED ACTION(S): Authorize the City Manager to sign the attached revised Subdivision Improvement Agreement on behalf of the City.

EXECUTIVE SUMMARY: On September 1, 2004 Council approved the final map and subdivision improvement agreement for this project. Subsequent to fully executing the approved subdivision improvement agreement, the developer approached staff and requested an amendment to the agreement relative to insurance to allow the subdivider to provide insurance through its general contractor. The City Attorney and Risk Manager have reviewed the request and determined that the change would still protect the City's interest. Section 16.5 has been added to the agreement as described.

Tract 9617 is a 24 lot subdivision located on the southeast corner of the Tilton Avenue and Dougherty Avenue intersection (see attached location map). The developer has completed all the conditions specified by the Planning Commission in the approval of the Tentative Map on June 8, 2004.

FISCAL IMPACT: Development review for this project is from development processing fees.

Agenda Item # 1

Prepared By:

Senior Civil Engineer

Approved By:

Public Works Director

Submitted By:

City Manager